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FM SECSTATE WASHDC

TO RUEHBAF/AMEMBASSY PORT MORESBY IMMEDIATE 1131

RUEHBAC/AMEMBASSY CANBERRA IMMEDIATE 1067

RUDKGPQ/AMEMBASSY THE HAGUE IMMEDIATE 8262

RUEHBAZ/AMEMBASSY WELLINGTON IMMEDIATE 3511

INFO RUEHCR/AMEMBASSY SUVA 5875

RUHISAA/LNO SAIPAN MARIANAS ISLANDS TTPI

BT

C O N F I D E N T I A L STATE 185850

FOR THE AMBASSADOR

E.O. 11652:GDS

TAGS:PLOS, PBOR

SUBJECT: LOS: USG POSITION ON QTE NON-INDEPENDENT PEOPLES

UNQTE BECOMING SIGNATORIES TO LOS CONVENTION

REF: PORT MORESBY 566 (NOTAL), 720 (NOTAL)

1. IT HAS BEEN THE CONSISTENT U.S. POSITION THAT ONLY STATES MAY BECOME PARTIES TO THE LOS CONVENTION. AMEMBASSY PORT MORESBY MAY DRAW UPON FOLLOWING IN RESPONDING TO DABB.

2. THE GOVERNMENT OF THE UNITED STATES UNDERSTANDS THE DESIRE OF THE MICRONESIAN LEADERSHIP THAT THE RESOURCES OF THE TRUST TERRITORY BE PRESERVED FOR MICRONESIA'S BENEFIT AND IS STRONGLY AWARE OF THE RESPONSIBILITIES OF THE UNITED STATES TO THE PEOPLES OF THE TRUST TERRITORY IN THIS IMPORTANT MATTER. UNDER THE TERMS OF THE TRUSTEESHIP AGREEMENT, WHICH IS CURRENTLY EFFECTIVE, AND THE UNITED NATIONS CHARTER, THE UNITED STATES IS CHARGED WITH THE RESPONSIBILITY TO PROTECT AND REGULATE THE USE OF THE NATURAL RESOURCES OF THE TRUST TERRITORY IN ORDER TO PROMOTE THE ECONOMIC ADVANCEMENT AND SELF-SUFFICIENCY OF THE INHABITANTS OF THE TRUST TERRITORY. THE U.S. TAKES ITS RESPONSIBILITY SERIOUSLY AND WILL CONTINUE TO CONSULT EXTENSIVELY AND TO CONSIDER MICRONESIAN VIEWS FULLY. AT THE SAME TIME, HOWEVER, GIVEN ITS LEGAL RESPONSIBILITIES UNDER THE TRUSTEESHIP AGREEMENT, THE UNITED STATES DOES NOT CONSIDER IT APPROPRIATE TO DELEGATE TO THE CONGRESS OF MICRONESIA COMPLETE AUTHORITY OVER THE RESOURCES WHICH WILL ACCRUE TO INDEPENDENT NATIONS UNDER THE LAW OF THE SEA CONVENTION, TO SUPPORT SIGNATORY STATUS FOR THE TRUST TERRITORY.

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OF MICRONESIA TO EXERCISE FULL AUTHORITY OVER THE TRUST  
TERRITORY'S MARINE RESOURCES IN INTERNATIONAL FORA. IT  
HAS BEEN THE CONSISTENT UNITED STATES POSITION THAT ONLY  
STATES MAY BECOME SIGNATORIES TO THE CONVENTION. MORE-  
OVER, WE ARE CONCERNED THAT OPENING THE CONVENTION TO  
SIGNATORIES OTHER THAN STATES WOULD OPEN UP THE QUESTION  
OF LIBERATION MOVEMENTS AND HAS SERIOUS IMPLICATIONS FOR  
THE INTERNAL AFFAIRS OF THE U.S. THE USG POSITION ABOVE  
HAS BEEN CONVEYED TO THE CONGRESS OF MICRONESIA.  
3. THE MICRONESIANS HAVE RAISED THE ISSUE OF MARINE  
RESOURCES AS A SUBJECT IN THE FUTURE POLITICAL STATUS  
NEGOTIATIONS BETWEEN MICRONESIAN LEADERS AND THE USG  
TO APPLY IN THE POST TRUSTEESHIP PERIOD. THE USG HAS  
STATED IT BELIEVES THAT MUTUALLY SATISFACTORY  
AGREEMENT CAN BE REACHED ON THIS MATTER AND THUS BE  
RESOLVED WITHIN A BILATERAL CONTEXT. IN OUR VIEW THIS  
IS A MATTER FOR BILATERAL RESOLUTION BETWEEN MICRONESIA  
AND THE USG AND NOT A MATTER TO BE RESOLVED MULTILATERALLY.  
4. EMBASSIES CANBERRA, WELLINGTON, AND THE HAGUE ARE  
REQUESTED TO MAKE SIMILAR POINTS TO HOST GOVERNMENTS  
AT HIGHEST APPROPRIATE LEVEL, AND TO STRESS THE GRAVITY  
OF THE MATTER. THIS ISSUE RAISES ALL SORTS OF POLITICAL  
DIFFICULTIES WITH RESPECT TO OTHER AREAS, INCLUDING  
AREAS OF U.S. SOVEREIGNTY, AND MOREOVER, SHOWS SIGNS  
OF STIMULATING PRECISELY THE KIND OF FEDERAL/STATE  
(LOCAL) CONTROVERSIES THAT HOST GOVERNMENTS THEMSELVES  
SHOULD WISH TO AVOID. YOU SHOULD CONVEY IMPRESSION  
THAT USG WILL TREAT THIS ISSUE, AND RELATED PROBLEM  
OF ANY TREATY CLAUSE ON RESOURCE RIGHTS OF LOCAL INHA-  
BITANTS, AS OF GREAT POLITICAL IMPORTANCE AFFECTING  
OUR ABILITY TO RATIFY LOS TREATY. IN YOUR  
APPROACH TO NEW ZEALAND GOVERNMENT EMBASSY IS REQUESTED  
TO EMPHASIZE OUR STRONG INTEREST THAT CONCERNS OF COOK  
ISLANDS BE RESOLVED IN BILATERAL ARRANGEMENT AND NOT  
RPT NOT IN-LOS TREATY. THE RUTEN SHOULD BE URGED TO  
RESOLVE THE CONCERNS OF THEIR DEPENDENCIES IN THE SAME  
WAY. KISSINGER